

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

AMENTUM ENVIRONMENT & ENERGY,
INC.,

Plaintiff,

v.

THE UNITED STATES OF AMERICA,

Defendant.

Case No. 20-2016 C
Judge Silfen

PLAINTIFF’S MOTION TO COMPEL DISCLOSURE

Pursuant to Court of Federal Claims Rule 26(b)(5)(B), Plaintiff Amentum Environment & Energy, Inc., formerly known as URS Energy & Construction, Inc., (“URS”) moves this Court motion for an order compelling Defendant, the United States of America, to withdraw its improper claim of attorney client-privilege over previously produced documents.¹ Consistent with the requirements of that Rule, URS’s accompanying Declaration of Charles Speth, attaching the documents over which the government now claims privilege, will be filed under seal. The grounds for this motion, explained in detail in URS’s accompanying Memorandum of Law, include the following:

1. The documents that the government has attempted to claw back on the basis of belated assertion of attorney-client privilege are not privileged.

2. Any privilege or other protection that may have applied or attached with respect to those documents has been waived for multiple reasons including, either intentionally or

¹ In compliance with Court of Federal Claims Rule 7.3, Counsel for URS certifies that URS has conferred with counsel for the government in good faith regarding the substance of this motion and the government’s position. The government opposes this motion.

inadvertently, through the government's repeated production of these documents and failure to take reasonable steps to protect against disclosure as required by Fed. R. Evid. 502.

* * *

URS respectfully requests that the Court grant its motion and compel the government to withdraw its claims of attorney-client privilege over the previously produced documents.

Respectfully submitted,

s/ Charles C. Speth
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